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32M1/0210

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NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE

Note attached communication from the Examiner  
 This notice is issued in view of applicant's communication filed \_\_\_\_\_

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
07/976,342	11/17/92	005	SMITH, S	3204 02/10/94
First Named Applicant	HARRIS		EDWARD M.	
TITLE OF INVENTION	STAPLING MACHINE			

	ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
3	3672/81-1446	227-132.000	U99	UTILITY	NO	\$1170.00	05/10/94

**THE FEE DUE IS THE AMOUNT IN EFFECT AT THIS TIME. IF THE AMOUNT OF THE ISSUE FEE INCREASES PRIOR TO PAYMENT, APPLICANT WILL BE NOTIFIED OF THE BALANCE OF ISSUE FEE DUE.**

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.**

**PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY Status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or  
B. If the Status is the same, pay the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date) and serial number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to contrary.

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
07/976,342	11/17/92	HARRIS	E 3672/81-1446

SMITH, EXAMINER

32M1/0210

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ART UNIT	PAPER NUMBER
3204	8 B 2/10/94 2/9/94

DATE MAILED:

02/10/94

### NOTICE OF ALLOWABILITY

#### PART I.

- This communication is responsive to Amendment filed 1/13/94.
- All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- The allowed claims are 9 and 11-15.
- The drawings filed on \_\_\_\_\_ are acceptable.
- Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [ ] been received. [ ] not been received. [ ] been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
- Note the attached Examiner's Amendment.
- Note the attached Examiner Interview Summary Record, PTOL-413.
- Note the attached Examiner's Statement of Reasons for Allowance.
- Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

#### PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. 5. CORRECTION IS REQUIRED.
  - The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

#### Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTOL- 413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449

- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

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1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Ms. Shapiro on February 8, 1994.

2. The application has been amended as follows:

In claim 9, lines 7 and 8, ", and having...second extents" was deleted. On lines 20 and 21, "as a result...second arms" was deleted. The last six lines were deleted and replaced with -- an actuator lever for applying a first predetermined force and a second predetermined force greater than said first predetermined force to said actuator element; and a toggle, said toggle being pivotally mounted on said second arm, said toggle having a shoulder, said shoulder being engaged with said actuator element during an application of said first predetermined force to retain said actuator element in a stationary position relative to said second arm, and said shoulder being disengaged from said actuator element during an application of said second predetermined force to allow said actuator element to move relative to said second arm. Claim 10 was/cancelled. In claim 11, line 1, "10" was changed to -- 9 --. In claim 12, lines 7 and 8, ", and having...second extents" was deleted. On lines 19 and 20, "as a

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*B<sup>2</sup>*  
result...~~second arms~~" was deleted. On line 24, after ";", -- an actuator lever for applying a first predetermined force and a second predetermined force greater than said first predetermined force to said actuator element; and -- was inserted. On line 28,

*B<sup>3</sup>*  
"said first..second arm" was changed to -- an application of said first predetermined force --. On lines 31 and 32, "said second.. movement" was changed to -- an application of said second

*B<sup>4</sup>*  
predetermined force --. In claim 13, lines 1 and 2, "further including an" was changed to -- wherein said --. On line 2, -- is -- was inserted after "lever".

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Smith whose telephone number is (703) 308-2190.

*[Signature]*  
S. Smith  
February 8, 1994

*[Signature]*  
SCOTT SMITH  
PRIMARY EXAMINER  
GROUP 3200